#### PATENT COOPERATION TREATY

TRANSLATION From the INTERNATIONAL SEARCHING AUTHORITY To: WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1) Date of mailing (day/month/year) Applicant's or agent's file reference FOR FURTHER ACTION 02-00437W01 See paragraph 2 below International application No. International filing date (day/month/year) Priority date (day/month/year) PCT/JP2005/004818 17.03.2005 22.03.2004 International Patent Classification (IPC) or both national classification and IPC Applicant ROHM CO., LTD This opinion contains indications relating to the following items: Box No. I Basis of the opinion Box No. II **Priority** Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. III Box No. IV Lack of unity of invention Reasoned statement under Rule 43bis. 1(a)(i) with regard to novelty, inventive step or industrial Box No. V applicability; citations and explanations supporting such statement Box No. VI Certain documents cited Box No. VII Certain defects in the international application Box No. VIII Certain observations on the international application 2. **FURTHER ACTION** If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCI/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220. For further details, see notes to Form PCT/ISA/220. 3. Name and mailing address of the ISAJP Authorized officer

Telephone No.

Facsimile No.

Box	k No. I	Basis of this opinion
1.		regard to the language, this opinion has been established on the basis of the international application in the language in which it was unless otherwise indicated under this item.
		This opinion has been established on the basis of a translation from the original language into the following language
	_	, which is the language of a translation furnished for the purposes of international search (under
		Rule 12.3 and 23.1(b)).
2.		regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed ation, this opinion has been established on the basis of:
	a.	type of material
	İ	a sequence listing
		table(s) related to the sequence listing
	Ь.	format of material
	•	in written format
		in computer readable form
	c.	time of filing/furnishing
		contained in the international application as filed.
		tiled together with the international application in computer readable form.
		furnished subsequently to this Authority for the purposes of search.
3.		In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4.	Addi	tional comments:
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Box No. IV Lack of unity of invention	
1. In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:	
paid additional fees	
paid additional fees under protest	
not paid additional fees	
2. This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant additional fees.	о рау
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is	
complied with	
not complied with for the following reasons:	
A matter common to the inventions in claims 1 and 2, the invention in claim 3, the invention claim 4, the invention in claim 5, the inventions in claim 6 and 7, the inventions in claims 8, and 12, and the inventions in claim 9 and 11 is "an FET structure composed of a first conduct layer to be one of source/drain electrodes, an organic semiconductor layer provided on the fit conductive layer, a second conductive layer provided on the organic semiconductor layer to the other of the source/drain electrodes, and a gate electrode formed from an upper plane." However, the international search has revealed that this constitution does not appear to be not since it is disclosed in JP, 2003-110110, A (Ricoh Co., Ltd.), 11 April, 2003 (11.04.03), paragraph [0036], Figs. 1-4, and in US, 2004-0029310, A1 (ADOFT BERNDS), 12 February 2004 (12.02.04), Fig. 4.  As a result, since the common matter to the inventions in the claims mentioned above belong the prior art, this common matter is not a special technical feature in the sense of the second sentence of PCT Rule 13.2.  Therefore, there is no matter common to all of the claims mentioned above. Since there is no other common matter considered to be a special technical matter in the sense of the second sentence of PCT Rule 13.2, no technical relationship in the sense of PCT Rule 13 can be fou among those different inventions.  Accordingly, it is evident that the inventions mentioned above do not satisfy the requirement unity of invention.	tive rst be vel  sto
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4. Consequently, this opinion has been established in respect of the following parts of the international application:  all parts  the parts relating to claims Nos. 1-2	

Claims 1-2  Inventive step (IS)  Claims  Claims  1-2  Vi  Industrial applicability (IA)  Claims  1-2  Yi  Yi  Yi  Yi  Yi  Yi  Yi  Yi  Yi  Y			orting such statement		
Inventive step (IS)  Claims  Industrial applicability (IA)  Claims  Claims  Claims  N  Citations and explanations:  Document 1: JP, 2003-110110, A (Ricoh Co., Ltd.), 11 April, 2003 (11.04.03), paragraph [0036], and Figs. 1 to 4 (Family: none)  Document 2: US, 2004-0029310, A1 (ADOFT BERNDS), 12 February, 2004 (12.02.04), Fig. 4 & JP, 2004-507096, A & WO, 2002-15293, A2  Claim 1  The subject matter in claim 1 appears neither to be novel nor to involve an inventive step in view of documents 1 and 2 cited in the ISR.  "A vertical field effect transistor" described in document 1 and "an OFET" described in document both have the same constitution as the invention of the present application.  Claim 2  The invention of claim 2 appears neither to be novel nor to involve an inventive step in view of document 1 cited in the ISR.  "A buffer layer" described in document 1 corresponds to "an organic semiconductor layer for lowering an energy barrier" in the invention of the present application, and the same constitution as	Statement				
Inventive step (IS)  Claims  1-2  N  Claims  Claims  Claims  Claims  N  Citations and explanations:  Document 1: JP, 2003-110110, A (Ricoh Co., Ltd.), 11 April, 2003 (11.04.03), paragraph [0036], and Figs. 1 to 4 (Family: none)  Document 2: US, 2004-0029310, A1 (ADOFT BERNDS), 12 February, 2004 (12.02.04), Fig. 4 & JP, 2004-507096, A & WO, 2002-15293, A2  Claim 1  The subject matter in claim 1 appears neither to be novel nor to involve an inventive step in view of documents 1 and 2 cited in the ISR.  "A vertical field effect transistor" described in document 1 and "an OFET" described in document both have the same constitution as the invention of the present application.  Claim 2  The invention of claim 2 appears neither to be novel nor to involve an inventive step in view of document 1 cited in the ISR. "A buffer layer" described in document 1 corresponds to "an organic semiconductor layer for lowering an energy barrier" in the invention of the present application, and the same constitution as	Novelty (N)	Claims			Y
Claims  Claims  1-2  No  No  Claims  1-2  Claims  1-2  Y  Claims  No  Citations and explanations:  Document 1: JP, 2003-110110, A (Ricoh Co., Ltd.), 11 April, 2003 (11.04.03), paragraph [0036], and Figs. 1 to 4 (Family: none)  Document 2: US, 2004-0029310, A1 (ADOFT BERNDS), 12 February, 2004 (12.02.04), Fig. 4 & JP, 2004-507096, A & WO, 2002-15293, A2  Claim 1  The subject matter in claim 1 appears neither to be novel nor to involve an inventive step in view of documents 1 and 2 cited in the ISR.  "A vertical field effect transistor" described in document 1 and "an OFET" described in document both have the same constitution as the invention of the present application.  Claim 2  The invention of claim 2 appears neither to be novel nor to involve an inventive step in view of document 1 cited in the ISR.  "A buffer layer" described in document 1 corresponds to "an organic semiconductor layer for lowering an energy barrier" in the invention of the present application, and the same constitution as		•	1-2		NO
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	The invention of claim a document 1 cited in the "A buffer layer" describ lowering an energy barr	ISR. ed in doc ier" in the	ment 1 corresponds	s to "an organic semi esent application, and	conductor layer for
	The invention of claim 2 document 1 cited in the "A buffer layer" describ lowering an energy barr	ISR. ed in doc ier" in the	ment 1 corresponds	s to "an organic semi esent application, and	conductor layer for
	The invention of claim 2 document 1 cited in the "A buffer layer" describ lowering an energy barr	ISR. ed in doc ier" in the	ment 1 corresponds	s to "an organic semi esent application, and	conductor layer for
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### 特許協力条約

#### 発信人 日本国特許庁 (国際調査機関)

代理人 河村 洌	様	REC'D 30 JUN 2005 WIPO PCT
あて名 〒532-0011 日本国大阪府大阪市淀川区西中島 新栄ビル6E 河村特許事務所	4丁目5番1号	国際調査機関の見解書 (法施行規則第 40 条の 2) [PCT規則 43 の 2.1]
	· · · · · · · · · · · · · · · · · · ·	発送日 28.6.2005 (日.月.年)
出願人又は代理人 の書類記号 02-00437W01		今後の手続きについては、下記2を参照すること。
国際出願番号 PCT/JP2005/004818	国際出願日 (日.月.年) 17.0	優先日 3.2005 (日.月.年) 22.03.2004
国際特許分類(IPC)Int.Cl. <sup>7</sup> H01L29/	<b>7</b> 786	
出願人 (氏名又は名称) ローム株式会社		

- 1. この見解書は次の内容を含む。
  - ▼ 第 Ⅰ 欄 見解の基礎

第Ⅱ欄 優先権

第Ⅲ欄 新規性、進歩性又は産業上の利用可能性についての見解の不作成

▼ 第IV欄 発明の単一性の欠如

▼ 第V欄 PCT規則 43 の 2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、

それを裏付けるための文献及び説明

第VI欄 ある種の引用文献

第VI概 国際出願の不備

第四個 国際出願に対する意見

2. 今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規 66.1 の 2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT/ISA/220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT/ISA/220を参照すること。

3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解告を作成した日 09.06.2005	·		
名称及びあて先	特許庁審査官(権限のある職員)	4 L	9361
日本国特許庁(ISA/JP) 郵便番号100-8915 東京都千代田区設が関三丁目4番3号	棚田 一也 電話番号 03-3581-1101 内	線 34	9 8

<u></u>	1家阿金		国際出願番号 PCT/JP2005/004818
第1個 見解の基礎			
1. この見解告は、7	で記に示	す場合を除くほか、国際出願の言語を基	ら礎として作成された。
厂 この見解書は それは国際調		語による翻訳文を基礎と りに提出されたPCT規則12.3及び23.1	
2. この国際出願で開 以下に基づき見解			クレオチド又はアミノ酸配列に関して、
a. タイプ	Ī	配列表	
	۲	配列表に関連するテーブル	
b. フォーマット	1	書面	
•	-	コンピュータ読み取り可能な形式	
c. 提出時期	Γ	出願時の国際出願に含まれる	
	1	この国際出願と共にコンピュータ読	<b>外取り可能な形式により提出された</b>
	Γ	出願後に、調査のために、この国際常	周査機関に提出された
			るに、出願後に提出した配列若しくは追加して提出し 時の開示を超える事項を含まない旨の陳述書の提出が
4. 補兄音目・		•	

#### 第IV概 発明の単一性の欠如

- 11. 追加手数料納付の求め(様式PCT/ISA/206)に対して、出願人は、
  - **一** 追加手数料を納付した。
  - **道加手数料の納付と共に異議を申立てた。**
  - ▽ 追加手数料の納付はなかった。
- 2. **「** 国際調査機関は、発明の単一性の要件を満たしていないと判断したが、追加手数料の納付を出願人に求めないこととした。
- 3. 国際調査機関は、PCT規則 13.1、13.2 及び 13.3 に規定する発明の単一性を次のように判断する。
  - 満足する。
  - ▶ 以下の理由により満足しない。

請求の範囲1乃至2に記載の発明と、請求の範囲3に記載の発明、請求の範囲4に記載の発明、請求の範囲5に記載の発明、請求の範囲6乃至7に記載の発明、請求の範囲8入10及び12に記載の発明、請求の範囲9及び11に記載の発明に共通の事項は、「ソース・ドレイン電極の一方となる第1導電層と、該第1導電層の上に設けられる有機半導体層と、該有機半導体層の上に設けられソース・ドレイン電極の他方となる第2導電層と、上面から形成されたゲート電極からなるFETの構造」である。

しかし、調査の結果該構成は、JP 2003-110110 A (株式会社リコー), 2003.04.11, 【0036】段落, 図1-4、及び

US 2004/0029310 A1 (ADOFT BERNDS),

2004.02.12,図4 に開示されているから、新規でないことが明らかとなった。

結果として、上記請求の範囲に記載の発明に共通の事項は先行技術の域を出ないから、PCT規則13.2の第2文の意味において、この共通事項は特別な技術的特徴ではない。

それ故、上記請求の範囲全てに共通の事項はない。PCT規則13.2の第2 文の意味において、特別な技術的事項と考えられる他の共通の事項は存在しない ので、それらの相違する発明の間にPCT規則13の意味における技術的な関連 を見いだすことはできない。

よって、上記発明は、発明の単一性の要件を満たしていないことが明らかである。

- 4. したがって、国際出願の次の部分について、この見解書を作成した。
  - 「 すべての部分

▶ 請求の施囲1-2

に関する部分

第V欄 新規性、進歩性又は産業_ それを裏付る文献及び説明	上の利用可能性に 月	こついてのPCT規則 43 の 2.1(a)(i)に定める見解、	_
1. 見解			
新規性(N)	請求の範囲 請求の範囲		有 無
進歩性(IS)	請求の範囲 請求の範囲	1-2	有 無
産業上の利用可能性(IA)	請求の範囲 請求の範囲	1-2	有 無

#### 2. 文献及び説明

文献1: JP 2003-110110 A (株式会社リコー),

2003.04.11, 【0036】段落, 図1-4 (ファミリーなし)

文献2:US 2004/0029310 A1 (ADOFT BERNDS),

2004.02.12, 図4 & JP 2004-507096 A

& WO 2002/15293 A2

### 請求の範囲1

`請求の範囲1に係る発明は、国際調査報告で引用された文献1乃至2に対し新規性及び進歩性を有さない。

文献1に記載の「縦型電界効果トランジスタ」、文献2に記載の「OFET」は、それぞれ本発明と同一の構成を有する。

### 請求の範囲2

請求の範囲2に係る発明は、国際調査報告で引用された文献1に対し新規性及び進 歩性を有さない。

文献1に記載の「バッファー層」は、本発明の「エネルギー障壁を低くする有機半導体層」に相当し、同文献には本発明と同一の構成が記載されている。

#### PATENT COOPERATION TREATY

TRANSLATION From the INTERNATIONAL SEARCHING AUTHORITY To: WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1) Date of mailing (day/month/year) Applicant's or agent's file reference FOR FURTHER ACTION 02-00437W01 See paragraph 2 below International application No. International filing date (day/month/year) Priority date (day/month/year) 22.03.2004 17.03.2005 PCT/JP2005/004818 International Patent Classification (IPC) or both national classification and IPC Applicant ROHM CO., LTD This opinion contains indications relating to the following items: Box No. I Basis of the opinion Box No. II Priority Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. III Box No. IV Lack of unity of invention Reasoned statement under Rule 43bis. 1(a)(i) with regard to novelty, inventive step or industrial Box No. V applicability; citations and explanations supporting such statement Box No. VI Certain documents cited Box No. VII Certain defects in the international application Box No. VIII Certain observations on the international application **FURTHER ACTION** If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCI/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220. For further details, see notes to Form PCT/ISA/220. Name and mailing address of the ISA/JP Authorized officer

Telephone No.

Facsimile No.

Box	x No. I	Basis of this opinion
1.		regard to the language, this opinion has been established on the basis of the international application in the language in which it was, unless otherwise indicated under this item.
		This opinion has been established on the basis of a translation from the original language into the following language
	_	, which is the language of a translation furnished for the purposes of international search (under
		Rule 12.3 and 23.1(b)).
2.		regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed nation, this opinion has been established on the basis of:
	a.	type of material
		a sequence listing
		table(s) related to the sequence listing
	b.	format of material
		in written format
		in computer readable form
	c.	time of filing/furnishing
		contained in the international application as filed.
		filed together with the international application in computer readable form.
		furnished subsequently to this Authority for the purposes of search.
3.		In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4.	∧ddi	itional comments:
		·
		•
		·

Box	Box No. IV Lack of unity of invention	
1.	1. In response to the invitation (Form PCT/ISA/206) to pay additional fe	es the applicant has:
	paid additional fees	•
	paid additional fees under protest	
	not paid additional fees	•
2.	2. This Authority found that the requirement of unity of invention is additional fees.	not complied with and chose not to invite the applicant to pay
3.	3. This Authority considers that the requirement of unity of invention in accor	dance with Rules 13.1, 13.2 and 13.3 is
	complied with	
	not complied with for the following reasons:	
	A matter common to the inventions in claims 1 and claim 4, the invention in claim 5, the inventions in and 12, and the inventions in claim 9 and 11 is "an layer to be one of source/drain electrodes, an organ conductive layer, a second conductive layer provide the other of the source/drain electrodes, and a gate However, the international search has revealed that since it is disclosed in JP, 2003-110110, A (Ricoh paragraph [0036], Figs. 1-4, and in US, 2004-0029 2004 (12.02.04), Fig. 4.  As a result, since the common matter to the inventioned the prior art, this common matter is not a special test sentence of PCT Rule 13.2.  Therefore, there is no matter common to all of the other common matter considered to be a special test sentence of PCT Rule 13.2, no technical relationsh among those different inventions.  Accordingly, it is evident that the inventions mentionity of invention.	claim 6 and 7, the inventions in claims 8, 10 FET structure composed of a first conductive nic semiconductor layer provided on the first led on the organic semiconductor layer to be electrode formed from an upper plane." It this constitution does not appear to be novel Co., Ltd.), 11 April, 2003 (11.04.03), 310, A1 (ADOFT BERNDS), 12 February, sons in the claims mentioned above belongs to echnical feature in the sense of the second claims mentioned above. Since there is no chnical matter in the sense of the second ip in the sense of PCT Rule 13 can be found
	•	
	•	, and the second se
_		The Annual Control of the Control of
4.	4. Consequently, this opinion has been established in respect of the following	parts of the international application:
	all parts	
	the parts relating to claims Nos. 1-2	

1.	citations and expla	anations suj	pporting such statement	<b>;</b>
	Statement	V		· _
	Novelty (N)	Claims		YE
		Claims	1-2	NC
	Inventive step (IS)	Claims		YE
		Claims	1-2	NO
	Industrial applicability (IA)		1 _ 2	\sqr
	industrial applications (112)	Claims Člaims	1-2	— YE NO
		Claims		
	documents 1 and 2 cited "A vertical field effect to both have the same constitution of claim 2. The invention of claim 2 document 1 cited in the "A buffer layer" describ	aim 1 apprint the IS ransistor's titution a ISR. ed in docier" in the	pears neither to be novel nor to involve an inventive step in vi	nent 2
		ent appli	,	on as
•		ent appli		on as
		ent appli		on as
•		ent appli		on as
		ent appli	:	on as
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	the invention of the pres	ent appli		on as
	the invention of the pres			on as
	the invention of the pres			on as
	the invention of the pres			on as

### 特許協力条約

#### 発信人 日本国特許庁 (国際調査機関)

代理人 REC'D 30 JUN 2005 河村 洌 PCT WIPO PCT あて名 国際調査機関の見解書 〒532-0011 (法施行規則第40条の2) 日本国大阪府大阪市淀川区西中岛4丁目5番1号 [PCT規則43の2.1] 新栄ビル6 区 河村特許事務所 28.6.2005 発送日 (日.月.年) 出願人又は代理人 今後の手続きについては、下記2を参照すること。 の書類記号 02-00437W01 国際出願番号 国際出願日 優先日 (日.月.年) 22.03.2004 PCT/JP2005/004818 (日.月.年) 17. 03. 2005 国際特許分類 (IPC) Int.Cl. H01L29/786 出願人(氏名又は名称) ローム株式会社

1. この見解書は次の内容を含む。

▼ 第 Ⅰ 欄 見解の基礎

第Ⅱ欄 優先権

▼ 第IV欄 発明の単一性の欠如

▼ 第V柵 PCT規則 43 の 2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、

それを裏付けるための文献及び説明

「 第VI欄 ある種の引用文献

第VI概 国際出願の不備

第W椰 国際出願に対する意見

2. 今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規 66.1 の 2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT/ISA/220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT/ I SA/220を参照すること。

3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解告を作成した日 09.06.2005 名称及びあて先 日本国特許庁(ISA/JP) 郵便番号100-8915 東京都千代田区級が関三丁目4番3号 特許庁審査官(権限のある職員) 4L 9361 棚田 一也 電話番号 03-3581-1101 内線 3498

	<b>示例</b> "红像	観り兄所督	国際出旗番号 PCT/JP2005/004818
第 I 欄 見解の基礎			
		場合を除くほか、国際出願の言語を基	
「この見解書は、 それは国際調査		語による翻訳文を基礎と に提出されたPCT規則12.3及び23.10	して作成した。 (b)にいう翻訳文の言語である。
2. この国際出願で開 以下に基づき見解			クレオチド又はアミノ酸配列に関して、
a. タイプ	1.	配列表	
	<b>-</b>	配列表に関連するテーブル	
b. フォーマット	_	書面	
		コンピュータ読み取り可能な形式	
c. 提出時期		出願時の国際出願に含まれる	•
•		この国際出願と共にコンピュータ読み	x取り可能な形式により提出された
		出願後に、調査のために、この国際課	間査機関に提出された
			合に、出願後に提出した配列若しくは追加して提出し 時の開示を超える事項を含まない旨の陳述書の提出が
4. 補足意見:		•	
			•
	•	•	
		•	
		•	·
•			

#### 第IV概 発明の単一性の欠如

- 11. 追加手数料納付の求め (様式PCT/ISA/206) に対して、出願人は、
  - 追加手数料を納付した。
  - 「 追加手数料の納付と共に異議を申立てた。
  - ▽ 追加手数料の納付はなかった。
- 2. 国際調査機関は、発明の単一性の要件を満たしていないと判断したが、追加手数料の納付を出願人に求めないこととした。
- 3. 国際調査機関は、PCT規則 13.1、13.2 及び 13.3 に規定する発明の単一性を次のように判断する。
  - 満足する。
  - **ド** 以下の理由により満足しない。

請求の範囲1乃至2に記載の発明と、請求の範囲3に記載の発明、請求の範囲4に記載の発明、請求の範囲5に記載の発明、請求の範囲6乃至7に記載の発明、請求の範囲8万至7に記載の発明、請求の範囲9及び11に記載の発明に共通の事項は、「ソース・ドレイン電極の一方となる第1導電層と、該第1導電層の上に設けられる有機半導体層と、該有機半導体層の上に設けられソース・ドレイン電極の他方となる第2導電層と、上面から形成されたゲート電極からなるFETの構造」である。

しかし、調査の結果該構成は、JP 2003-110110 A (株式会社リコー), 2003.04.11, 【0036】段落, 図1-4、及び

US 2004/0029310 A1 (ADOFT BERNDS),

2004.02.12,図4 に開示されているから、新規でないことが明らかとなった。

結果として、上記請求の範囲に記載の発明に共通の事項は先行技術の域を出ないから、PCT規則13.2の第2文の意味において、この共通事項は特別な技術的特徴ではない。

それ故、上記請求の範囲全てに共通の事項はない。PCT規則13.2の第2 文の意味において、特別な技術的事項と考えられる他の共通の事項は存在しない ので、それらの相違する発明の間にPCT規則13の意味における技術的な関連 を見いだすことはできない。

よって、上記発明は、発明の単一性の要件を満たしていないことが明らかである。

- 4. したがって、国際出願の次の部分について、この見解書を作成した。
  - 「 すべての部分

▼ 請求の範囲 1-2

に関する部分

第V欄 新規性、進歩性又は産業」 それを裏付る文献及び説明	上の利用可能性は 明	こついてのPCT規則 43 の 2. 1 (a) (i) に定める見解、	
1. 見解			
新規性(N)	請求の範囲 請求の範囲		有 無
進歩性(IS)	請求の範囲 請求の範囲		有 無
産業上の利用可能性(IA)	請求の範囲		有 無
2. 文献及び説明			·

文献1: JP 2003-110110 A (株式会社リコー),

2003.04.11, 【0036】段落, 図1-4 (ファミリーなし)

文献2:US 2004/0029310 A1 (ADOFT BERNDS),

2004.02.12, 図4 & JP 2004-507096 A

& WO 2002/15293 A2

### う請求の範囲1

請求の範囲1に係る発明は、国際調査報告で引用された文献1乃至2に対し新規性 及び進歩性を有さない。

文献1に記載の「縦型電界効果トランジスタ」、文献2に記載の「OFET」は、 それぞれ本発明と同一の構成を有する。

#### 請求の範囲 2

請求の範囲2に係る発明は、国際調査報告で引用された文献1に対し新規性及び進 歩性を有さない。

文献1に記載の「バッファー層」は、本発明の「エネルギー障壁を低くする有機半 導体層」に相当し、同文献には本発明と同一の構成が記載されている。